



STATE OF ARIZONA

Janet Napolitano
Governor

Structural Pest Control Commission

9535 E. Doubletree Ranch Road
Scottsdale, Arizona 85258-5514
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<http://www.sb.state.az.us>

Jack D. Root, BCE
Executive Director

NOTICE OF COMMISSION MEETING FRIDAY, February 8, 2008, 9:00 A.M.

**Structural Pest Control Commission
9535 E. Doubletree Ranch Road
Scottsdale, AZ 85258**

NOTICES

Comments on any item may be made to the Commission by attending the meeting to speak, or communicating with Jack Root by email: jroot@sb.state.az.us, fax: (602) 255-1281, mail: SPCC office address, or phone: (602) 255-3664.

For people who need language interpretation services or a reasonable accommodation for a disability, please contact Helen Turner by email: hturner@sb.state.az.us, fax: (602) 255-1281, mail: SPCC office address, or phone: (602) 255-3664.

Please quiet your cellular telephones and pagers. Do not hold telephone or other conversations in the hallway outside of the Commission room, as voices carry.

Pursuant to A.R.S. § 38-431.02, notice is given to the members of the Structural Pest Control Commission and to the General Public that the Structural Pest Control Commission members will attend either in person or by telephone conference call to hold a meeting open to the public, as indicated on the following agenda.

Pursuant to A.R.S. § 38-431.03(A)(3), the Commission may vote to go into executive session to obtain legal advice for matters on the agenda. Pursuant to A.R.S. § 38-431.03(A)(2), the Commission may vote to go into executive session to discuss records exempt from public inspection. Pursuant to A.R.S. § 38-431.03(A)(1), the Commission may vote to go into executive session to discuss personnel matters. Pursuant to A.R.S. § 38-431(A)(4), the Commission may vote to go into executive session to discuss pending or contemplated litigation. The executive session will not be open to the public. All business conducted in executive session is confidential.

All items except items I, II, III, and IV are subject to decision and vote by the Commission.

AGENDA

I. 9:00 A.M.: Call to order (Chairperson), Commissioner roll call (Mr. Craig).

II. Call to the public (Chairperson). Each speaker is limited to five minutes. This is the time for the public to comment. Pursuant to A.R. S. Section 39-431.01(G), action (if any) taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration at a later date.

III. Communication with Commissioners (Chairperson). This is the opportunity for Commissioners who may be involved in decision-making to disclose any written communication or the substance of any verbal communication that occurred with an interested person outside the public meeting, including the name of the person with whom they communicated. This ensures public confidence that deliberations and decision are made in open meetings. If there are no disclosures, the assumption is that there were no such communications.

IV. Reports and Summary of Current Commission Events, Activities, Notices (Mr. Root)

⇒Arizona Pest Professional Organization (AzPPO) Report/Education (exam/study material) Committee Report

⇒“My Account” system - new licensee information management tool online – lets business and individual licensees update vitals information, review testing history, print renewal forms during renewal processing times, print licenses, allows businesses to add and delete applicator employees, and allows all licensees to reset their passwords - via the website www.sb.state.az.us. More features to come.

⇒New Schedule: CE (Continuing Education) courses posted on web site. Registration : 480-CEU-SPCC; <mailto:CEU@sb.state.az.us>

⇒ILT (Initial Licensure Training) courses posted on web site. Registration: 480-ILT SPCC; ILT@sb.state.az.us

V. Consent Agenda

Items will be read and voted on in one group excluding those pulled for discussion. Any matter on the Consent Agenda will be removed from the Consent Agenda and discussed as a regular agenda item upon the request of any Commissioner. All persons are encouraged to stay for the entire Commission meeting. However, a person who appears for a matter on the consent agenda may leave after the Commission approves the consent agenda in its one vote; and a person who appears for a matter on the consent agenda that was pulled from the consent agenda is free to leave after the Commission votes on that matter.

For new business and existing business license applicants, if applicants do not appear and the Commissioners have questions, those applications may be denied or tabled to a future meeting.

A. Applications for New Business License and Activating Qualifying Party License: (Mr. Tolton)

<u>Business</u>	<u>Qualifying Party</u>
1. Reaction Pest Service, LLC.	Miah J. Speirs "B1" (General & Public Health Pest Control)
2. Arrest-A-Pest Exterminating	Tracey L. Gransie B1" (General & Public Health Pest Control), "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection)
3. Arizona County Club	Jon Karl Jantzen "B3" (Right-of-Way & Weed Control) and "B5" (Turf & Ornamental Horticulture Pest Control)
4. APG Pressure Washing Inc.	Shane D. Pannell "B1" (General & Public Health Pest Control)
5. GoGreen Environmental, LLC.	Matthew M. Lindsey "B1" (General & Public Health Pest Control)

B. Applications to activate Qualifying Party for Existing Business License: (Mr. Tolton)

<u>Qualifying Party</u>	<u>Business</u>
1. Harold J. Kunnen	HouseMaster Home & Termite Inspections "B7" (Fungi Inspection)
2. Justin I. Buell	JCB Exterminating "B3" (Right-of-Way & Weed Control)
3. Matthew T. Alston	Frontline Exterminating, LLC. "B1" (General & Public Health Pest Control)
4. Thomas J. Siegfried, Jr.	Flood Control District of Maricopa County "B5" (Turf & Ornamental Horticulture Pest Control)

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| 5. Thomas J. Siegfried, Jr. | Flood Control District of Maricopa County
"B5" (Turf & Ornamental Horticulture Pest Control) |
| 6. Dave S. Waier | Aardvark Pest Control B1" (General & Public Health Pest Control) |
| 7. Adam R. Sanchez | Economy Control, LLC. "B1" (General & Public Health Pest Control) |
| 8. Richard B. Lindsay | Conquistador Pest & Termite, Inc. "B3" (Right-of-Way & Weed Control) |

For Qualifying Party applicants, Temporary Qualifying Party applicants, renewal applicants, and name change requests, if applicants do not appear and the Commissioners have questions, those applications may be denied or tabled to a future meeting. An applicant that the Commission approves for licensure is approved subject to passing required exams. Qualifying Party applicants are not placed on the Agenda until the Commission receives a background report.

C. Applications for Qualifying Party License: (Mr. Tolton)

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| 1. Tyler S. Batt | "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection) |
| 2. John M. Cook | "B9" (Aquatic Pest Control) |
| 3. Stephen P. Richardson | "B1" (General & Public Health Pest Control), "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection) |
| 4. Brian S. Doherty | "B3" (Right-of-Way & Weed Control) |
| 5. Jose R. Gonzalez, Jr. | "B1" (General & Public Health Pest Control), "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection) |
| 6. Ryan L. Horn | "B1" (General & Public Health Pest Control), "B2" (Control of Wood-Destroying Insects) "B3" (Right-of-Way & Weed Control) and "B8" (Wood-Destroying Insect Inspection) |
| 7. Judy I. Shelton | "B1" (General & Public Health Pest Control), "B2" (Control of Wood-Destroying Insects), "B4" (Fumigation), "B5" (Turf & Ornamental Horticulture Pest Control) and "B8" (Wood-Destroying Insect Inspection) |

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| 8. Derrell N. Davidson | "B1" (General & Public Health Pest Control), "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection) |
| 9. Kirt D. Boylan | "B3" (Right-of-Way & Weed Control) |
| 10. Floyd W. Austin | "B1" (General & Public Health Pest Control) and "B3" (Right-of-Way & Weed Control) |
| 11. Jeffrey D. Cooper | "B1" (General & Public Health Pest Control) |
| 12. Christopher I. Johnston | "B1" (General & Public Health Pest Control), "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection) |

D. Business License Name Change Requests: (Mr. Tolton)

1. Wheat's Landscaping & Maintenance to ProQual Landscaping
2. AZ Valley Wild to AZ Valley Wild Nuisance Animal Control, LLC.

E. Applicants for new Applicator Licenses: (No Document -- See list on website under agenda). **(Mr. Tolton)**

1. Licenses to be Issued for completed applications.

End of Consent Agenda

VI. Applications not on Consent Agenda

If applicants do not appear and the Commissioners have questions, those applications may be denied or tabled to a future meeting.

A. Request for Temporary Qualifying Party License or Renewal: (Mr. Tolton)

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| 1. Stephen P. Richardson | "B1" (General & Public Health Pest Control), "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection) |
| 2. Tammy L. DeLozier | "B1" (General & Public Health Pest Control) |
| 3. Jose R. Gonzalez, Jr. | "B1" (General & Public Health Pest Control), "B2" (Control of Wood-Destroying Insects) and "B8" (Wood-Destroying Insect Inspection) |
| 4. Gloria L. Kilian | "B1" (General & Public Health Pest Control) |

- 5. [Floyd W. Austin](#) “B1” (General & Public Health Pest Control) and “B3” (Right-of-Way & Weed Control)
- 6. [Robert W. Couch](#) “B5” (Turf & Ornamental Horticulture Pest Control)
- 7. [Christopher I. Johnston](#) “B1” (General & Public Health Pest Control), “B2” (Control of Wood-Destroying Insects) and “B8” (Wood-Destroying Insect Inspection)

B. Applications to activate Qualifying Party for New or Existing Business License: (Mr. Tolton)

- 1. [Charles T. Gorsuch](#) ProQual Landscaping “B1” (General & Public Health Pest Control), “B3” (Right-of-Way & Weed Control), “B5” (Turf & Ornamental Horticulture Pest Control) and “B9” (Aquatic Pest Control)

C. Applications for Applicator License Renewal: (Mr. Tolton)

- 1. [Clark D. Cox](#) “B3” (Right-of-Way & Weed Control), “B5” (Turf & Ornamental Horticulture Pest Control)

D. Business License Name Change Requests: (Mr. Tolton)

None

E. Applications for Qualifying Party License: (Mr. Tolton)

None

VII. Complaints: (Mr. Craig)

Licensees: The Commission may discuss, consider and take action on any matter below. The Commission’s action may include those set forth in A.R.S. § 32-2321(A), such as an administrative warning, civil penalty up to \$1,000.00 per violation, probation requirements, suspension or revocation. This action may be taken pursuant to a Consent Agreement or a matter may be sent to a Formal Hearing. The Commission may issue an advisory notice pursuant to A.R.S. § 32-2321 (N). A matter also may be continued for further investigation, further settlement negotiations, or dismissed.

If a Consent Agreement is not executed by the deadline stated in the Consent Agreement Transmittal letter, the case will be sent to the Office of Administrative Hearings.

Unlicensed: The Commission may discuss, consider and take action on any matter below. The Commission may issue a Cease and Desist order and/or

impose a civil penalty of up to \$1,000.00 for the first offense and up to \$2,000.00 for a subsequent offense, according to A.R.S. § 32-2304(B)(16) for unlicensed activity involving other than weed control. For unlicensed activity involving weed control, the Commission may issue a written notice of correction for the first violation, impose a civil penalty of up to \$250.00 for the second violation, and impose a civil penalty of up to \$500.00 for the third or subsequent violation, according to A.R.S. § 32-2311(C). Action may be taken by Direct Commission Order without a Consent Agreement or Formal Hearing. A matter also may be continued for further investigation, further settlement negotiations, or dismissed.

None

VIII. Requests for Review or Rehearing of Previous Commission Decisions. (Mr. Root)

None

IX. Review or Rehearing of Previous Commission Decisions. (Mr. Root)

None

X. Consideration of Suspension of Business, Qualifying Party and/or Applicator Licenses for Non-payment of Civil Penalties and/or Nonpayment of Renewal Fees [Possible Dismissal of Cases without prejudice, if applicable]. (Mr. Root)

None

XI. Consideration of lifting Suspension of Business, Qualifying Party and/or Applicator Licenses. (Mr. Root)

None

XII. Recommended Decisions and Orders of the Office of Administrative Hearings - Administrative Law Judges. (Ms. Verstegen)

None

XIII. Settlement Proposals [not part of Complaints agenda item]. (Ms. Verstegen)

None

XIV. Consideration of Informal Settlement Conference proposed resolutions [for Appealable Agency Actions such as License Denials, Disciplinary actions taken without a prior hearing, and Cease & Desist/civil penalties for unlicensed activity]. (Mr. Root)

None

XV. Reporting by Licensees on Probation: (Mr. Root)

None

XVI. Applicants with Criminal Convictions: (Mr. Tolton)

If applicants do not appear and the Commissioners have questions those applications may be denied or tabled to a future meeting.

- A. Darren Wade Wright - APP/QP
- B. Armando Anthony Padilla
- C. John Lee Faulkner
- D. Daniel Anthony Guevara
- E. Adam Jeffery Jackson
- F. Graham Roberts Drewes

XVII. Commission Updates and Reports; Miscellaneous Action Items.

- A. Commission's review, discussion and possible action on detailed expenditure report: (Mr. Root) (Separate Handout)
- B. Commission's review, discussion and possible action on additional Commissioners: (Mr. Root)
- C. Complaint Status Log: (Mr. Craig)
- D. Computer Based Testing "CBT" Status and Statistics: (Mr. Craig)
- E. Case Status Report (Every other month - last report 1/11/08): (Mr. Root) (Separate Handout)
- F. Commission's review, discussion and possible action on Continuing Education for Consent Agreements: (Mr. Root)
- G. Commission's review, discussion and possible action on the Commission's transition and Legislation: (Mr. Root)

XVIII. Approval of Minutes and Continuing Education Programs

- A. October 12, 2007 (public meeting) Minutes (Mr. Root)
- B. November 9, 2007 (public meeting) Minutes (Mr. Root)
- C. December 14, 2007 (public meeting) Minutes (Mr. Root)
- D. January 11, 2008 (public meeting) Minutes (Mr. Root)(Separate Handout)
- E. January 25, 2008 (public meeting) Minutes (Mr. Root)
- F. Continuing Education Program Applicants "(See list on website under agenda)". (Mr. Craig)

XIX. Scheduling of future meetings/agenda items: (Mr. Root)

Current Proposed dates

March 14, 2008

April 11, 2008

May 9, 2008

June 13, 2008

XX. Adjournment